

Amendments to the Drawings:

The attached sheets of drawings include changes to Figs. 3 and 4. These sheets, which include Figs. 1-6, replace the original sheets that include Figs. 1-6. In Fig. 3, previously omitted reference character 55 with an accompanying lead line has been added. In Fig. 4, reference character 85 has been changed to 55 to properly correspond with the description in the specification.

Attachments: Replacement Sheet

 Annotated Sheet Showing Changes

Remarks**I. Status of Claims:**

Claims 1-6, 8-11 and 13-18 are pending and stand rejected and/or objected-to.

Claims 7 and 12 have been canceled. Numerous amendments have been made to more particularly point out and distinctly claim that which the applicant regards as his invention.

II. Objections to the Drawings:

The drawings stand objected-to for the following reasons: reference characters "20" and "25" in Fig. 1, "47" in Figure 2 and "85" in Figure 4 are deemed not described in the specification. With respect to reference characters "20," "25" and "47," amendments to the specification have been made to describe the features highlighted by the reference characters. Support for the amendments is found in the drawings and throughout the specification.

With respect to reference character "85," Figures 3 and 4 have been amended to change "85" to "55," which is the reference character that identifies the feature being described in the specification. Entry of the amended drawings is respectfully requested. The amendments to the specification and drawings render the objections to the drawings moot. Reconsideration and removal of the objections to the drawings are respectfully requested.

The drawings are further objected-to for not showing the feature "collector" specified in the claims. The feature has been canceled from the claims thereby rendering the objection to the drawings moot. Reconsideration and removal of the objection to the drawings for the collector feature are respectfully requested.

III. Objections to the Specification:

The specification stands objected-to for reciting that Figs. 3 and 4 show a core

30. The paragraph beginning at page 8, line 15 has been amended to correct the recitation to describe "holder 40" as being the feature shown in the figures.

Reconsideration and removal of the objection to the specification on this ground are respectfully requested.

The specification is further objected-to for reciting a "scrapper." The typographical error has been corrected along with other similar typographical errors throughout the specification. Reconsideration and removal of the objection to the specification on this ground are respectfully requested.

IV. Claim Objections:

Claims 3-4, 6, 9, 11-12 and 16 are objected-to for use of the term "scrapper."

Claim 12 is canceled thereby rendering the objection thereof moot. The term has either been corrected to "scraper" or eliminated in each of the pending objected-to claims.

Antecedent basis issues have also been corrected. Reconsideration and removal of the objections to claims 3, 4, 6, 9, 11 and 16 are respectfully requested.

V. Rejections under 35 U.S.C. § 102(b):

Claims 1, 5 and 7 stand rejected under § 102(b) as being anticipated by Earle (U.S. 5,806,135). Claim 1, as amended, is limited to a six-sided cube core with substantially flat cleaning surfaces on the each of the core sides being substantially identically dimensioned. In contrast, Earle shows and describes a cube-shaped apparatus with at least one side having pyramidal projections. Earle states specifically that the apparatus "may have any ***combination*** of flat surfaces ***and*** surfaces with

projections." [2:11-12, emphasis added]. The statement is written in the conjunctive therefore the apparatus as shown and described has at least one surface that has rather jagged projections. As such, Earle cannot properly be considered as anticipated and/or suggesting applicant's invention as set forth in claim 1. Reconsideration and removal of the rejection of claim 1 based on the Earle reference are respectfully requested.

Claims 5 and 7 depend from claim 1 and are allowable for the same reasons given for claim 1. Reconsideration and removal of the rejections of claims 5 and 7 are respectfully requested.

Claims 1 and 8 stand rejected under § 102(b) as being anticipated by Broun (U.S. 415,337). Claim 1, as amended, is limited to a six-sided cube-shaped core with substantially flat cleaning surfaces on the each of the core sides being substantially identically dimensioned. Broun does not show, disclose or suggest such features. The Broun apparatus is not cubicle. The six sides are not substantially identically dimensioned. Broun includes a fixed weight and a fixed handle, which renders at least one side of the Broun apparatus incapable of acting as a cleaning surface. For these reasons, Broun cannot properly be considered as anticipating applicant's invention as set forth in claim 1. Reconsideration and removal of the rejection of claim 1 under the Broun reference are respectfully requested.

Claim 8 depends from 1 and is allowable for the same reasons given for claim 1. Reconsideration and removal of the rejection of claim 8 are respectfully requested.

Claims 1 and 3 stand rejected under § 102(b) as being anticipated by Wells (U.S. 1,844,729). Claim 1, as amended, is limited to a six-sided cube-shaped core with

substantially flat cleaning surfaces on the each of the core sides being substantially identically dimensioned. Wells shows an eraser with six sides that are not substantially identically dimensioned. At least two sides of the eraser has non-cleaning surface components that project from the side surfaces and cannot be used as cleaning surfaces, e.g., the sharpener parts and the anchor plates [56-61]. As such, Wells cannot properly be considered as showing or suggesting applicant's invention as set forth in claim 1. Reconsideration and removal of the rejection of claim 1 under the Wells reference are respectfully requested.

Claim 3 depends from claim 1 and is allowable for the same reasons given for claim 1. In addition, claim 3 is not anticipated by Wells as the feature in Wells characterized as a "scraper" is anything but as it is a fixed internal feature of the disclosed eraser. Reconsideration and removal of the rejection of claim 3 are respectfully requested.

Claims 1, 2, 5, 8, 10 and 13 stand rejected under § 102(b) as being anticipated by Grossmeyer (U.S. 2,940,100). Claims 1 and 10, as amended, are limited to a six-sided cube-shaped core with substantially flat cleaning surfaces on the each of the core sides being substantially identically dimensioned. Grossmeyer shows an apparatus that does not have six substantially identically dimensioned surfaces. An insert provided on one side makes that side unusable as a cleaning surface. For these reasons, Grossmeyer cannot be properly considered as anticipating applicant's claimed invention. Reconsideration and removal of the rejections of claims 1 and 10 under Grossmeyer are respectfully requested.

Claims 2, 5, 8 and 13 depend from claims 1 and 10 and are allowable for the same reasons given for claims 1 and 10. Reconsideration and removal of the rejections of claims 2, 5, 8 and 13 are respectfully requested.

Claims 1-5, 8 and 10-13 stand rejected under § 102(b) as being anticipated by Osborne (U.S. 4,207,646). Claims 1 and 10, as amended, are limited to a six-sided cube-shaped core with substantially flat cleaning surfaces on the each of the core sides being substantially identically dimensioned. Osborne shows a cylindrical shaped eraser with two ends that cannot be used as cleaning surfaces as they include apertures to receiving ends of a cloth draped over the core of the eraser. The eraser is described as "an elongated tubular member" [2:31-32]. A series of lands and grooves are provided about the surface of the cylinder, which cannot be considered as anticipating or suggesting the substantially flat cleaning surfaces of applicant's claimed invention. Accordingly, Osborne cannot properly be considered as anticipating claims 1 and 10. Reconsideration and removal of the rejections of claims 1 and 10 under Osborne are respectfully requested.

Claims 2-5, 8 and 11-13 depend from claims 1 and 10 and are allowable for the same reasons given for claims 1 and 10. Reconsideration and removal of the rejections of claims 2-5, 8 and 11-13 under Osborne are respectfully requested.

Claims 1-5, 8 and 10-13 stand rejected under § 102(b) as being anticipated by Spence. Claims 1 and 10, as amended, are limited to a six-sided cube core with substantially flat cleaning surfaces on the each of the core sides being substantially identically dimensioned. Spence discloses a rectangular eraser that does not have six substantially identically dimensioned cleaning surfaces. One of the surfaces is

dedicated to providing a fixed handle or finger grips while another provides an erasure dust collection receptacle. Only two cleaning surfaces are presented. For these reasons, Spence cannot properly be considered as anticipating or even suggesting applicant's claimed invention. Reconsideration and removal of the rejections of claims 1 and 10 are respectfully requested.

Claims 2-5, 8 and 11-13 depend from claims 1 and 10 and are allowable for the same reasons given for claims 1 and 10. In addition, feature G in the Spence reference does not anticipate applicant's scraper feature. Feature G is nothing more than an elastic flap designed to contact the surface to be cleaned. Because it is fixed to the eraser, it cannot be used to clean the eraser's cleaning surfaces. Reconsideration and removal of the rejections of claims 2-5, 8 and 11-13 under Spence are respectfully requested.

VI. Rejections under 35 U.S.C. § 103(a):

Claim 6 is rejected under § 103(a) as being unpatentable over Osborne as applied to claim 4 in view of Fraser (U.S. 3,748,684). Claim 6 depends ultimately from claim 1 and is allowable over Osborne for the same reasons given with respect to claim 1. Fraser does not fill the deficiency in the Osborne reference. Fraser discloses a rectangular shaped eraser with a fixed holder [2:50-63]. As shown and described, Fraser does not have six substantially identically dimensioned cleaning surfaces. At best, Fraser shows three substantially differently dimensioned cleaning surfaces. The other three surfaces are occupied either entirely or partially by the fixed channel-shaped holder. As such Osborne in combination with Fraser does not render claim 6 obvious by virtue of its dependency from allowable claim 1. For these reasons, applicant

respectfully requests reconsideration and removal of the rejection of claim 6 under Osborne in view of Fraser.

Claims 9, 16 and 18 stand rejected under § 103(a) as being unpatentable over Osborne and Fraser as applied to claims 6 and 10 in view of Frazier (U.S. 6,367,115). Claims 9, 16 and 18 depend ultimately from claims 1 and 10 and are allowable for the same reasons given for claims 1 and 10. Frazier does not fill the deficiencies of either Osborne and/or Fraser. Frazier discloses a six-sided figure of which the sides are not substantially identically dimensioned [2:2]. The Frazier eraser used a plurality of fabric layers that are each removed after use. The layers are maintained on a core via a staple. The presence of the staple on one side of the Frazier eraser makes that side incapable of acting as a cleaning surface. For these reasons, Osborne combined with Fraser and Frazier does not render claims 9, 16 and 18 obvious. Reconsideration and removal of the rejections of claims 9, 16 and 18 under Osborne combined with Fraser and Frazier are respectfully requested.

Claim 14 stands rejected under § 103(a) as being unpatentable over Grossmeyer as applied to claim 10 in view of Earle. Claim 14 depends from claim 10 and is allowable for the same reasons given for claim 10. As previously explained, neither Grossmeyer nor Earle show or suggest a six-sides cubical eraser with six substantially identically dimensioned cleaning surfaces. As such, Grossmeyer and Earle cannot properly be combined to render claim 14 obvious. Reconsideration and removal of the rejection of claim 14 are respectfully requested.

Claim 17 stands rejected under § 103(a) as being unpatentable over Grossmeyer, Earle and Fraser. Claim 17 depends ultimately from claim 1 and is

allowable for the same reasons given for claim 1. None of the three references shows or suggests a six-sided cube with six substantially identically dimensioned cleaning surfaces. As such, none of the references, alone or in combination, render claim 17 obvious. Reconsideration and removal of the rejection of claim 17 under Grossmeyer, Earle and Fraser are respectfully requested.

Claim 18 stands rejected under § 103(a) as being unpatentable over Grossmeyer as applied to claim 10 in view of Frazier. Claim 18 depends from claim 10 and is allowable for the same reasons given for claim 10. Neither Grossmeyer nor Frazier show or suggest a six-sided cube with six substantially identically dimensioned cleaning surfaces. Accordingly, neither of the references, alone or combined, render claim 18 obvious. Reconsideration and removal of the rejection of claim 18 under Grossmeyer if view of Frazier are respectfully requested.

Claim 18 stands rejected under § 103 as being unpatentable over Spence in view of Frazier. Claim 18 depends from claim 10 and is allowable for the same reasons given for claim 10. Neither Spence nor Frazier show or suggest a six-sided cube with six substantially identically dimensioned cleaning surfaces. Accordingly, neither of the references, alone or combined, render claim 18 obvious. Reconsideration and removal of the rejection of claim 18 under Grossmeyer in view of Frazier are respectfully requested.

VII. Conclusion:

The claims are considered to define patentably over the prior art. Consideration is requested and favorable action is solicited.

Respectfully submitted,



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Annotated Sheet

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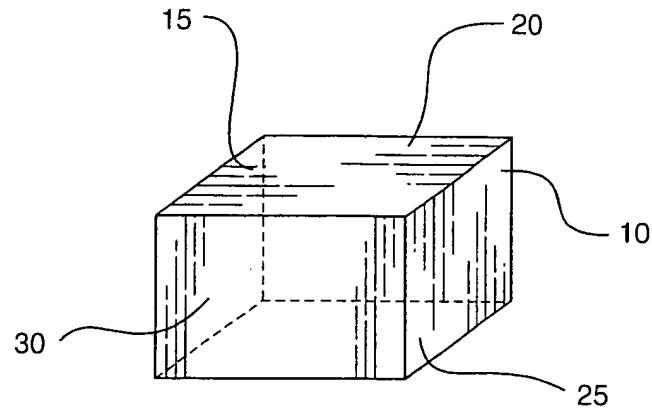


FIG. 1

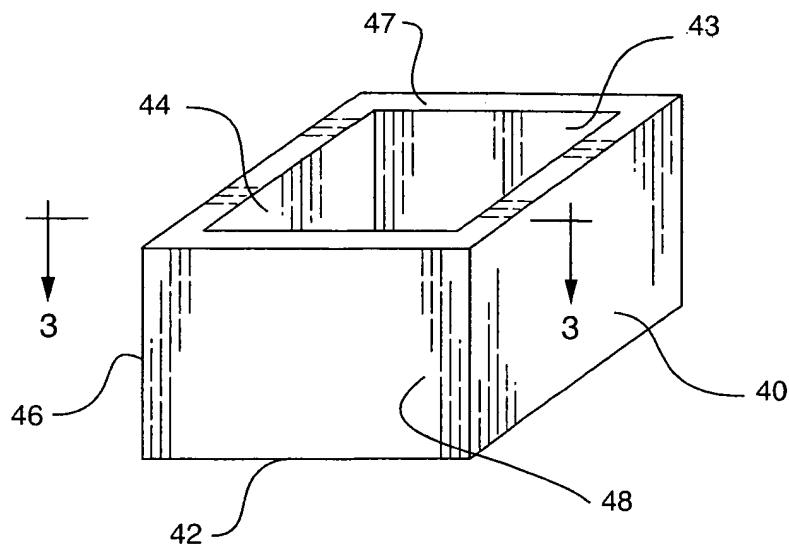


FIG. 2

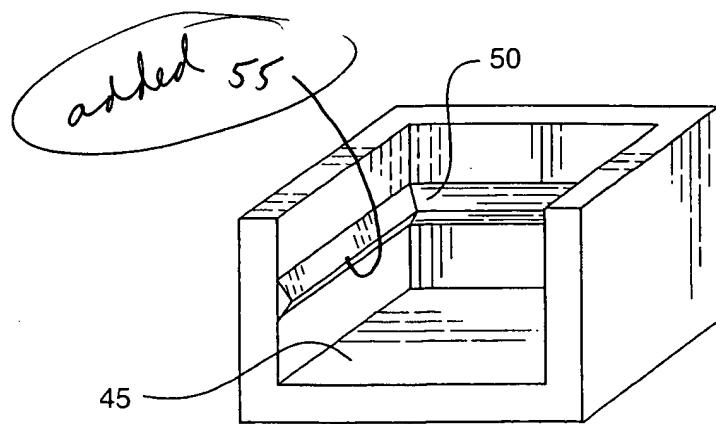


FIG. 3

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Annotated Sheet

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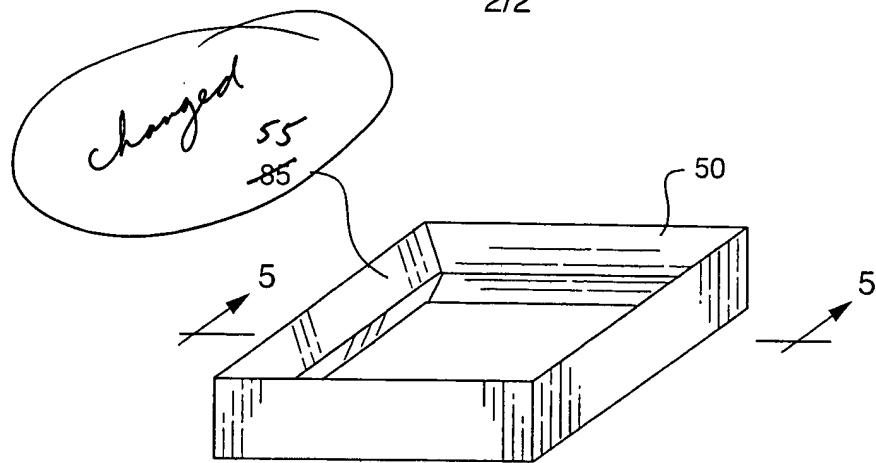


FIG. 4

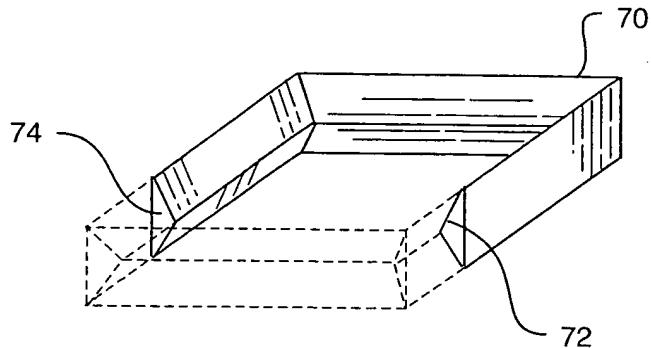


FIG. 5

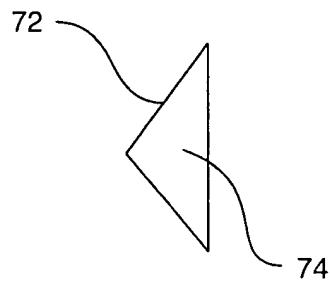


FIG. 6

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